

Please type a plus sign (+) inside this box +

# UTILITY

## PATENT APPLICATION TRANSMITTAL

Attorney Docket No.

END-5265NP

First Inventor: **Randal T. Byrum**

Title: **A METHOD FOR IMPLANTING AN ADJUSTABLE BAND**

I hereby certify that this correspondence is being deposited today with the United States Postal Service as Express Mail - Post Office to Addressee in an envelope addressed to: Assistant Commissioner for Patents, Box-Patent Application, Washington, DC 20231.

Name:

*Kimberly M. Moses*  
Kimberly M. Moses

Date:

*2-20-04*  
February 20, 2004

Express Mail Label No.

EU923390405US

### APPLICATION ELEMENTS

See MPEP Chapter 600 concerning utility patent application contents.

### ADDRESS TO:

U.S. Patent and Trademark Office  
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Mail Stop: Patent Applications  
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Arlington, Virginia 22202

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)  
(submit an original and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.
3. ☒ Specification [Total Pages 11]  
(Preferred arrangement set forth below)
  - Descriptive Title of the Invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R&D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4. ☒ Drawing(s) (35 USC 113) [Total Sheets 4]
5. Oath or Declaration [Total Pages 3]
  - a. ☒ Executed Copy
  - b. ☐ Copy from a prior application (37 CFR 1.63(d))  
(for continuation/divisional with Box 18 completed)
    - i. ☐ **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
  - a. ☐ Computer Readable Form (CRF)
  - b. ☐ Specification Sequence Listing on:
    - i. ☐ CD-ROM or CD-R (2 copies); or
    - ii. ☐ paper
  - c. ☐ Statement verifying identity of above copies

### ACCOMPANYING APPLICATION PARTS

9. ☒ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement ☐ Power of Attorney  
(when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☒ Information Disclosure Statement  
(IDS)/PTO-1449 ☒ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
16. ☐ Request and Certifications under 35 U.S.C. 122  
(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☒ Application Cover Sheet  
w/Express Mail Certification

18. ☐ If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-Part (CIP) of prior application No.: , filed .

Prior application information: Examiner Group Art Unit:

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

### 19. CORRESPONDENCE ADDRESS

☒ Customer Number or Bar Code Label **000027777** or ☒ Correspondence Address below

Name: Philip S. Johnson, Esq.

Address: Johnson & Johnson, One Johnson & Johnson Plaza, New Brunswick, NJ 08933-7003 USA

20. TELEPHONE CONTACT: Please direct all telephone calls or facsimiles to: Dean L. Garner

Telephone: (513) 337-8559

Fax: (513) 337-8489

### 21. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

NAME

Dean L. Garner

Reg. No. 35,877

SIGNATURE

*Dean L. Garner*

DATE

February 20, 2004

022004

22763 U.S. PTO

U.S. PTO  
10/78441

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22763 U.S. PTO

*Complete if Known*

Application Number	
Filing Date	February 20, 2004
First Named Inventor	Randal T. Byrum
Group Art Unit	
Examiner Name	
Attorney Docket Number	END-5265NP


**FEE CALCULATION**

## CLAIMS AS FILED

(1)	(2)	(3)	(4)	(5)
FOR:	NUMBER FILED	NUMBER EXTRA	RATE	BASIC FEE \$770.00
TOTAL CLAIMS	9 - 3 =	0	x 18.00	\$ 0.00
INDEPENDENT CLAIMS	3 - 3 =	0	x 86.00	\$ 0.00
MULTIPLE DEPENDENT CLAIMS	<input type="checkbox"/>	N/A	X 280.00	
			TOTAL FEES	\$770.00

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<b>SUBMITTED BY:</b>		<i>Complete (if applicable)</i>
Typed or Printed Name	Dean L. Garner	Reg. No. 35,877
Signature		Date: 02/20/04
		Deposit Account No. 10-0750